X

THE "WHITE DUNE" AT ABYAN: AN ANCIENT PLACE OF PILGRIMAGE IN SOUTHERN ARABIA

In the Faḍlī state of the former Aden Federation, a few miles to the north-east of Dirjāj/Dirgāg, is to be found al-Kaṯīb al-Abyaḍ or the White Dune, an enormous ridge of sand running in a more or less north-easterly direction, and facing Mount Ḥiryān/Ḥaryān, this last being a grey stone mountain forming with al-Kaṯīb al-Abyaḍ opposite to it a sort of ravine or *wādī*. This is the Wādī Salā, the mouth of which is approached from the west; the *wādī* winds somewhat, the sand ridge getting higher the farther one goes up it. The White Dune has long been a place of pilgrimage. It may be recalled that the pre-Islāmic Prophet Hūd is stated to be buried in al-Kaṯīb al-Aḥmar, the Red Dune, in Wādī Ḥaḍramawt,[1] so perhaps dunes occasionally had some notion of sanctity attaching to them, for one reason or another, as long ago as the Jāhilīyah.

HISTORICO-LITERARY NOTICES ON THE "WHITE DUNE"

A fairly cursory survey of the literature reveals that al-Kaṯīb al-Abyaḍ is known from early times to South Arabian writers. Al-Hamdānī quotes a tradition, already ancient in his day, that there were four sacred places (*biqā' muqaddasah*/*maṛḥūmah*) in the Yemen, one of these being "Mirrā' Ma'īn, which is perhaps in Abyan, and contains the White Dune (al-Kaṯīb al-Abyaḍ),[2] it being a *ribāṭ* (religious college or *zāwiyah*?)[3] to which people go out, even up to this present time of ours". Elsewhere al-Hamdānī alludes to Kaṯīb Yarāmis (text, incorrectly, Barāmis) which is a *ribāṭ*.[4]

[1] Cf. my "Hūd and other pre-Islamic prophets of Ḥaḍramawt", *Le Muséon*, LXVII (Louvain, 1954), 127, *passim*.

[2] Al-Hamdānī, *al-Juz' al-ṯāmin min al-Iklīl*, ed. Anastase-Marie al-Kirmilī (Baghdad, n.d. [1934]), p. 137. The term *ḥiqf* is also used.

[3] O. Löfgren, *Arabische Texte zur Kenntnis der Stadt Aden im Mittelalter* (Uppsala, 1936–50), glossary, p. 35, "Mönchshospiz, befestigtes Kloster".

[4] Al-Hamdānī, *Ṣifat Jazīrat al-'Arab*, ed. D. H. Müller (Leiden, 1884–91), p. 52. A place al-Kaṯīb is also mentioned on the route between al-Suḥaib and Lahej, *op. cit.* p. 189, but if it should be al-Kaṯīb al-Abyaḍ the traveller would be making a considerable detour.

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The driver of the Aden Department of Antiquities, Sa'īd, a Ḥasanī tribesman, told me that his father used to go to visit Kathīb Yarāmis, so this name has also persisted to the present day, Yarāmis being the well-known *wādī* into which the Wādī Salā debouches.

Among the *faqīhs* and *qāḍīs* of Abyan, Ibn Samurah mentions a certain 'Umar b. Muḥammad al-Kathībī, not a very well-known person.[1] Again, al-Sharjī quotes 'Abd al-Raḥmān son of al-Shaikh al-Kabīr 'Abdullāh b. As'ad al-Yāfi'ī as saying, "I met on one occasion with a certain man of God on al-Kathīb al-Abyaḍ, and he revealed (*kāshaf*) to me many things and spoke of somewhat of my secret. I asked him about the man of the age, and he said, 'He is the shaikh Ismā'īl al-Jabartī'." (Al-Jabartī (d. 875/1470–1) was a Zabīdī.)[2] The father, 'Abdullāh b. As'ad, the celebrated author of *Mir'āt al-janān*, is buried, the Yāfi'īs claim, at Ma'rabān, and is a *walī bain ḥadd al-Sa'dī wa-'l-Yaharī*, a saint on the Sa'dī-Yaharī border, these latter being two large tribes of the Lower Yāfi'ī confederation. He has the respect (*iḥtirām*) of the tribes and he, i.e. his shrine, receives a quarter of the tithes (*'ushūr*) of the district in which it lies. Abū Makhramah[3] and other authors however state explicitly that he died and was buried in Mecca, so if I am correct in assuming that the saint of Ma'rabān is the same person as the author, Yāfi'ī local tradition would seem to be without foundation.

As late a source as the *Tāj al-'arūs*, though apparently copying the *Takmilah*, describes al-Kathīb as on the coast of the Yemen Sea "containing a mosque from which *barakah* is acquired". This brief description could fit the case, but if al-Kathīb al-Abyaḍ was at one time a resort or even a permanent centre of residence for Ṣūfīs and scholars nothing of that appears to be left now. The Ḥaḍramī writer 'Aidarūs b. 'Umar b. 'Aidarūs al-Ḥabshī (d. 1314/1895) repeats that al-Kathīb al-Abyaḍ is at al-Ribāṭ near Abyan, and that the first mosque to be built after Islam is said to be near this dune: "al-Kathīb al-Abyaḍ is the blessed (*mubārak*) dune in the district of Abyan, a resort for the pious servants of God. It is said there are graves there and also a company of the pious. It has great fame in that district, and each year, in the month of Rajab a great concourse of the people of the district assembles there in order to obtain blessing (*tabarruk*)."[4]

[1] *Ṭabaqāt fuqahā' al-Yaman*, ed. Fu'ād Saiyid (Cairo, 1957), p. 224, with useful notes. [2] *Ṭabaqāt al-khawāṣṣ* (Cairo, 1903), p. 37. Cf. pp. 21, 54.

[3] Ed. Löfgren, pp. 109–13.

[4] *'Iqd al-yawāqīt al-jawharīyah*... (Cairo, 1317), p. 125.

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The visitation to al-Kathīb al-Abyaḍ falls on 15 Sha'bān, that is Niṣf Sha'bān; it may only be a coincidence that this nowadays is also the date of the pilgrimage to Hūd, he being buried in al-Kathīb al-Aḥmar. Some people maintain that the visitation dates only from the time of the Prophet Muḥammad and that this is why it is respected. Another visitation seems to take place at the Mi'rāj on 27 Rajab, as stated by al-Ḥabshī. The people eat their '*ashā*' there, and they make a *mawlid al-nabī*. When I first went to Aden in 1940 the recital and singing of *mawlids* was a popular diversion and it still remains so. One of the ceremonies is to fire from the top of the White Dune at marks on the other side of the *wādī*, i.e. on Mount Ḥiryān, which is usual also at many other *ziyārahs* in South Arabia. If you can run seven times up the White Dune from the *wādī* bottom you will have performed the equivalent of the *ḥajj* to Mecca, but I imagine few people can do this, and one scramble to the top plunging through the loose sand was enough for me and for our Faḍlī tribal guard driver! Yāfi' take dust (*turāb*) away from the dune for *barakah*, just as people take dust from the tombs of the saints, for there are said to be seventy-seven prophets (*nabī*) buried in the White Dune. If a camel goes up to the top of Al-Kathīb al-Abyaḍ and dies there no worms will eat it, nor will *al-ḥarash*, a word explained to mean wild animals and birds, devour it. In one or two other places I noticed holes under the rocks polished by human contact, just like the stones under Ḥajar al-Zinwān, the Bastards' Rock.

THE BASTARDS' ROCK

In the valley-bottom of Salā are trees and booths, the latter unoccupied of course, except during the *ziyārah*, the remains of fires, and other traces of the festival. People also camp on the mountain-side, and there were even some sticks which had formed the booths of a recent visitation on the top of the sand-ridge itself. A little way up, on the side of the mountain is the Ḥajar al-Zinwān,[1] the Bastards' Rock, a large square-shaped boulder, standing free, but poised on other rocks. It is just possible to crawl underneath it, and the entrance is picked out

[1] Sing. *zanū*. 'Alawī b. Ṭāhir al-Ḥaddād, *al-Shāmil fī tārīkh Ḥaḍramawt wa-makhālīfi-hā* (Singapore, 1940), unpublished copy in my possession, p. 193, mentions Ḥuṣn ibn al-Zanū in the Ḥālikah country of western Ḥaḍramawt. In Anṣāb of the Upper 'Awlaqīs a bastard is *ḥalḥūl* (plur. *ḥalāḥīl*), syn. *zinwān* (plur.).

with plaster (*nūrah*). No person born out of wedlock can pass under the rock, but he will stick there, and any person failing to get through from one side to the other could only be released from the position in which he is stuck, by another person firing off a rifle. In actual fact it appears that there is some kind of trick in the way that one places the body in attempting to crawl through underneath the rock. This curious institution seems to give rise to a great deal of levity at the time of the *ziyārah*, with challenges and counter-challenges to prove the legitimacy of one's birth, and I was told of the case of a woman who burst into a fury of rage at her son because he stuck under the Bastards' Rock, and thereby unjustly impugned her honour!

Sa'īd al-Ḥasanī told me a story which illustrates the rather more serious purpose to which the Ḥajar al-Zinwān may be put. His grandfather (*jadd*) was doubtful as to whether a son of his wife's was his own child or that of another man, so the tribe put down as a pledge fifteen Arab guns (i.e. muskets) and a hundred camels (*ṭaraḥū min khamsta'shar bunduq 'arabīyah wa-miyat rāḥilah*). This was of course in earnest of their willingness to proceed to judgement. The two contending parties in the case were the Āl al-Sha'aif, Ḥasanīs, and the Āl Bā Ja'am/Ga'am (*wa-'l-mutashājirīn hum qabīlat Āl al-Sha'aif al-Ḥasanī wa-qabīlat Āl Bā Ja'am*). The boy they then took to al-Kathīb, and they made the trial as to whether he could pass under the Bastards' Rock – which in fact he was able to do, so the fault lay with the Āl al-Sha'aif, and they paid over the damages (blame-money), such and such a sum (*wa-ṣār al-ghalṭah 'ind Āl al-Sha'aif wa-dafa'ū al-lawm, al-mablagh kadhā*). It is to be remarked that the tribe, not the individual plaintiff, paid over the fine. The *lawm*-money[1] was to clear the face (*ṣafā al-wijh*) (i.e. the honour) of the Āl Bā Ja'am from dishonour. For this reason, that it can exonerate and exculpate, the Bastards' Rock is also known as Ḥajarat al-Barā'ah, the Stone of Rendering Innocent. The Murqushī tribe of the Faḍlīs do not follow the procedure I have just described. This form of trial was described to me as being a kind of *bish'ah*, trial by ordeal which is practised by hereditary shaikhs of the *bish'ah* in Upper Yāfi', Raidat Āl 'Abd al-Wadūd, and other places in South Arabia; it is also practised in Socotra. I now have detailed information on how *bish'ah* is conducted given me by the Āl 'Abd al-Wadūd shaikh, but the similarity seems to me only superficial.

[1] C. de Landberg, *Glossaire daṭînois* (Leiden, 1920–42), p. 2658, "outrage, dommages-intérêts".

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How near the custom associated with the Bastards' Rock is to pre-Islāmic usages and even what survived in medieval Islām is demonstrable from the literature. Describing the divination arrows at Mecca, Ibn Hishām states that Quraish, if they suspected a man's descent (*nasab*), would take him with a hundred *dirhams* and a camel to be slaughtered to the God Hubal at the Ka'bah. The gifts they presented to the man in charge of casting the divining arrows, and then they would say, "O our God, this is so-and-so...produce the truth (*akhrij al-ḥaqq*) about him!" Then they would order the diviner to cast the arrows. If it turned out to be the arrow which had *min-kum* marked upon it, the man was a *wasīṭ*, i.e. of good quality in respect of the tribe; if it was marked *min ghairi-kum* then he belonged to another tribe and was an ally (*ḥalīf*), but if it turned out to have *mulṣaq* (syn. *dā'ī*) marked upon it he was, with regard to them, in a position without relationship by blood (*nasab*) or alliance (*ḥilf*).[1] Needless to say it is often necessary in tribal society to be sure of such relationships.

The celebrated knight and author Usāmah b. Munqidh, visiting Petra in the middle of the twelfth century A.D. which he knew as al-Raqīm, the Hebrew Reqem,[2] tells us, "I entered the mosque and prayed in it; but the cleft (*al-maḍīq*) in it I did not go through. One of the Turkish amīrs, however, who were in my company, named Barshak, came with the intention of entering through that narrow cleft (*shiqq*). I said to him, 'What art thou doing there? Pray outside of it.' 'There is no god but Allāh', he replied. 'I must then be a bastard (*bi-iḥrām rāḥatī in lam...*) if I cannot enter through that narrow cleft!' 'What is this that thou art saying?' I asked. 'This is a place', he replied, 'through which no son of adultery (*walad zinā'*) can enter. He cannot possibly enter therein.' This statement made me rise and enter in that place. I prayed in it and came out without, as Allāh knows, believing what he had said. Most of the troops thereupon came, went in and recited their prayers. But one of my officers, Barāq al-Zubaydī, had a black slave, devout and assiduous in prayer. The same, though one of the leanest and tallest of men, came in turn to that place, exerted every effort to get in, but could not do it. The poor fellow came back crying,

[1] *Sīrah*, ed. F. Wüstenfeld (Göttingen, 1858–60), pp. 97 ff.

[2] M. A. Murray, *Petra* (Glasgow, 1939), pp. 78–9, quoting the Old Testament and Josephus. There is supposed also to be a cave of the Seven Sleepers in the Yemen.

moaning and sighing for having failed to get in through the cleft."[1]

So much then, for the Bastards' Rock, in front of which, lower down the hill, lies what looks like a small cistern, about one foot deep and perhaps two or three feet in diameter, all picked out with *nūrah*. In front of this again, slightly lower down the slope of the hill, and picked out in *nūrah* also, are the footprint of the Prophet's horse (*ḵhail*) and the hole made in the rock by the butt of his spear. There is also a whitened stone near the much larger Bastards' Rock, and up the hill yet another whitened stone; but nobody present was able to inform me what purpose these served. All about the Bastards' Rock are little heaps of stones built up on individual rocks; these our driver called *mad'ā* (pl. *madā'ī*).

The *madā'ī* have been described by Landberg as defining the limits of a type of sacred enclave,[2] but this is perhaps not always so. At Khanfar of Abyan in 1947 I saw various types of *mad'ā ḥaqq al-walī*, stone or mud pillars with a hole in the top for a lamp. The following account of the *mad'ā* was related to me:

لَمّا يكون واحد مريض يروح الى عند المدعا (الولىّ) ويشِلّ معْهُ شَىْ من المأكول ويأكلوا عند الولىّ (عند المدعا) . بعد ما يأكلوا يدْعُوا عند الولىّ إنّك تَدْعِى لنا عند رَبّكْ يعافِينا من المرض الذى جِينا من شانُه ثم يَقْرَءُون الفاتحه ويروحوا .

إقْراءة الفاتحه — يقول الفاتحه الى روح ولى الفلانى إنّ الله ينْفَعنا بأسرارَه وأنوارَه ويكون منا دَرْب وحِجاب من جميع لأسْباب . وبَعْدَيْن فى الآخر يقولها لا روح النبى .

"When a man is ill he goes to the *mad'ā*, i.e. the saint, and brings some food with him, and they eat at the saint, i.e. at the *mad'ā*.[3] After that they pray to the saint, 'Pray for us to your Lord to cure us of the illness on account of which we have come.' Then they recite the *Fātiḥah* and go.[4]

[1] H. Derenbourg, *Texte arabe de l'autobiographie d'Ousāma* (Paris, 1886), p. 11; P. K. Hitti, *Memoirs of an Arab-Syrian Gentleman* (Columbia, 1927, reprinted Beirut, 1964), pp. 39–41.

[2] *Études sur les dialectes de l'Arabie méridionale*, II, *Daṯînah* (Leiden, 1905–13), p. 1786; and *Arabica*, V (Leiden, 1896), 145–6.

[3] Alternatively, coffee alone may be brought.

[4] The Fātiḥah (Koran, *sūrah* 1) is said on behalf of some person upon whom God will in consequence send his light – so said my informant.

"Recital of the *Fātiḥah* – they say the *Fātiḥah* for the soul of saint So-and-so, may God avail us through his secrets and lights,[1] and may he be a wall around us and a screen from all causes (of harm).[2] Then, at the end, he says it for the soul of the Prophet."

These pillars with a hole at the top for a lamp are common enough in many districts of Aden Federation. At Wādī 'l-Gharīb, east of Shuqrā, a pillar containing a hole for a lamp was called a *bakrah min shān al-walī*.[3] The Faḍlīs told me that a *mad'ā* may be set up for any person, but a *bakrah* was set up for a *walī* exclusively, i.e. for a saint. In this case the saint was said to be a Ḥāmid Saiyid from Ḥaḍramawt. At Sa'īd of the Upper 'Awlaqīs, said to have been badly destroyed in the fighting between the 'Awlaqīs and NLF in 1968, I saw a *mad'ā* of a saiyid called 'Abd al-Raḥmān Daḥūm somewhere inside the town. Possibly the *mad'ā* and *bakrah* may be survivals of, or related to, the granite *naos* containing the alabaster bust of a man published by Ahmed Fakhry in his Ma'rib material.[4]

TRIBAL CUSTOMARY PROCEDURE WITH UNMARRIED MOTHERS AND BASTARDS

It may seem strange that bastards should be found in tribal society in south Arabia, though in the Ḥaḍramī tribes this is not without advantages for the tribe when a situation arises in which it must execute one of its own members. In such case a bastard may be put to death, since he has no near male relative to avenge him, and a new blood feud will not be set up thereby between his executioners and his family – or so I am told. In the tribal country of parts of the Federation, *tawrīd* or providing a woman for the guest is said to be widely prevalent, and the sexual code is really more pagan than Islāmic.

The procedure among the tribes eastwards from Shuqrā for dealing with the case of an unmarried girl who becomes pregnant is of very considerable interest. The girl is first asked who the

[1] I have given this a literal translation, but of course the word *asrār* has a great range of senses in religious parlance. The reference to lights may possibly be to the miraculous lights that appear over the tombs of saints in South Arabia.

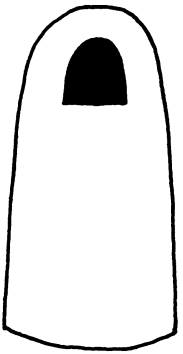
[2] A *darb* is a wall, here a circular wall. Cf. *mudarrab* surrounded by a wall, rendered as *muḥaṣṣan* fortified, and *Gloss. daṭ.* pp. 742–3.

[3] Cf. *Gloss. daṭ.* p. 192, *bikār* "colonne", on the authority of Glaser. I am inclined to think that *bikār* should be a plural of *bakrah* rather than a singular.

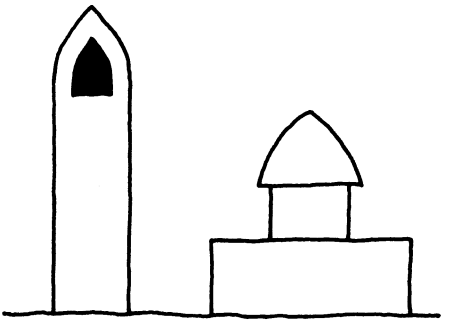
[4] *An Archaeological Journey to Yemen* (Cairo, 1951–2), III, pl. xl.

PLATE I

A *mad'ā* (?) at Ṣa'īd in Upper 'Awlaqī Wādī Yashbum



Mad'ā column with an aperture in the top for an oil lamp.



Mashhad Bā Ṭawq at Ruḍūm of the Wāḥidī sultanate, with a *mad'ā* (left) and a *bakrah* (right).

(*Facing p.* 80)

man is. The man is then asked to marry her but if he *ya'giz bi-'l-ḥurmah*, i.e. *mā yiṯtī-hā*, "does not want her", yet "has made her pregnant (*ḥabbal-hā*)", then he must *yiksir-hā*, i.e. "give her the *kasīrah* which is 30 *rās*, *jalabah*, sheep", the word *kasīrah* being said to mean *lawm* or damages.[1] To these sheep given to the woman her father usually adds ten more, and says to her, *Barra' min baitī* "Get out of my house!" The girl in this case is considered as a *kalb*. The bastard is not called by his mother's name, but is known as, for example, Ṣāliḥ am-Zanū, Ṣāliḥ the Bastard. He is described as being *ḥalal bain ḥarāmain*, a lawful (person) between two unlawful (persons, things). He is therefore not ill considered, and his grandfather may and often does love him better than the rest of his, legitimate, grandsons. He belongs to his mother's tribe, and would, in the event of war with his father's tribe, fight against the latter, and might even kill his father. There is a sub-tribe of the Ja'danīs known as Ahl am-Zanū. If the girl's lover marries her the child remains with the mother at first, but later her family take it and, according to another informant, if the mother marries the *zanū* stays with his maternal grandfather. The child is called *ibn al-salqah*, i.e. *al-firāṯ*, the *salqah* being a mat made of palm-leaf, and the phrase was explained as *ibn ahl al-ḥurmah*, the son of the woman's family.

If in a normal case of a child born in wedlock a boy's father dies, he is brought up by his mother and is called after her, as for example in the case of the ancestor of the Hal Miryam of the Nakha'īyīn tribe of the Faḍlī Sultanate, to which latter tribe 'Alī's famous adviser al-Ashtar al-Nakha'ī belonged.[2] This could well be one reason why a woman's name occurs in Arab genealogical series of the pre-Islāmic period, as for example the Madhḥij tribe of 'Ubaidah (?'Abīdah), a Taghlibī woman who married into Janb, her children being named after her.[3] Theories that the occurrences of women's names in genealogical series indicate traces of a preceding matriarchal system have, in the Arabian context, always seemed to me highly improbable.

Another significant practice is that in order to maintain the

[1] C. de Landberg, *Gloss. daṭ.* p. 2574, "outrage, dommages-intérêts".

[2] 'Umar b. Yūsuf b. Rasūl, *Ṭurfat al-aṣḥāb fī ma'rifat al-ansāb*, ed. K. W. Zetterstéen (Damascus, 1949), p. 35.

[3] *Ibid.* Al-Mubarrad, *al-Kāmil*, ed. Aḥmad Muḥ. Shākir (Cairo, 1937–56), III, 996, cites a case where a man is named as son of his mother's second (?) husband though his father's name is also given. The text does not show whether he was born out of wedlock or not. The literature could doubtless show many cases where a man is named as son of his mother.

sharaf of the two families party to a marriage, when a man marries a girl already pregnant without his being aware of this, he will keep her for a year and then divorce her so as not to bring disgrace upon her father. If however the girl pleases him he may keep her and the child is his. When it comes to inheritance his brothers may say to him that he is a bastard, and therefore not entitled to inherit. To this he will reply, *Ummī gābat-nī fī silqat abū-y wa-abū-kum, ishtī qism zaiy mā wāḥid min-kum* "My mother brought me forth on the mat (bed) of my father and your father, I want my share like one of you." They then go to the *shaikh al-qabīlah*, and if it be proven that the man was born on his father's mat, then he receives a share in the inheritance, but if born on the mat of another he does not.

Those people who live in houses in Abyan do not follow the custom of the tribes to the east of Shuqrā, but give an abortifacient *duwā* to an unmarried girl who has become pregnant, and the matter is kept concealed. They try to marry her to the man responsible, or to another man, before the pregnancy shows. The people to the west of Shuqrā all seem to take this course of action and so do the 'Awdhalīs to the north-east, but my informant said tribes like the Rabīz and Kāzimīs take the same action as the Faḍlī tribes. The existence of this customary law by which a child is considered to belong to the *salqah*/*silqah* of his father, among tribes so removed from external influences as these, can safely be assumed to remount to the pre-Islāmic period. If this indeed be so it would further weaken the Goldziher theory that the principle embodied in *al-walad li-'l-firāsh* was taken over from, or influenced by Roman law,[1] a maxim attributed indeed to the Prophet himself as pronounced at the farewell pilgrimage at 'Arafah.[2]

It might be remarked that if a man is accused of having got a girl with child and denies it, he must produce not less than

[1] Cited in J. Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford, 1950), p. 182. Another indication that the principle, *al-walad li-'l-firāsh*, is a pre-Islāmic practice can be seen from al-Hamdānī, *al-Iklīl, erstes Buch*, ed. O. Löfgren (Uppsala, 1965), II, 67. Quḍā'ah is claimed as belonging both to Ḥimyar and to Ma'add. Now Mālik b. Ḥimyar parted from the mother of Quḍā'ah when she was already pregnant by him, and "Ma'add succeeded to her and she delivered her child conceived from Mālik on his bed (*firāsh*)". Nevertheless, strangely enough, the Prophet maintained that Quḍā'ah is the son of Mālik b. Ḥimyar, i.e. contrary to the dictum ascribed to him, that *al-walad li-'l-firāsh*.

[2] Ibn Hishām, *op. cit.* p. 970.

five persons, in the case of an important woman ten persons, to swear to his innocence. The father of the pregnant girl chooses the oath-takers. This process is reminiscent of the *qasāmah* – which also exists in Faḍlī country and in fact is common practice over much of South Arabia, though the number of persons required to take the oath varies according to whether the offence is a simple sheep stealing, or the serious crime of murder.[1]

[1] For oath-taking in customary law cases, see my "Two tribal law cases (II)", *Journal of the Royal Asiatic Society* (London, 1951), pp. 164–5.

ADDENDA

P.74/fn.2 Cf. *Iklīl II*, ed. Akwaʿ, Cairo, 1386/1967, 146: *Kathīb Yarāmis min nāḥiyat ʿAdan.*

P.74/fn.4 Al-Rāzī, *Tārīkh Ṣanʿāʾ*, Damascus, 1974, 240.

P.82/fn.1 Muslim lawyers are in some doubt about the tradition *al-walad li-ʾl-firāsh wa-li-ʾl-ʿāhir al-ḥajar.* Ibn Durayd, *K. al-Mujtanā*, Cairo, 1386/1927, says: "He means . . . that the lot of the fornicator is *ḥajar* (stoning/deprivation), i.e., he has nothing of the child. This dictum has two senses – either he meant that his lot (*ḥazz*) is harshness (*ghalẓah*) and rough treatment (*khushūnah*) through the infliction of the *ḥadd*-punishment by stoning or beating – or that, by *ḥajar*, he meant that by which he does not benefit and in which he has no advantage (*maḥṣūl*), meaning there-by frustration (*khaybah*). The milder interpretation would seem more in line with tribal practice. Al-Amīr al-Ṣanʿānī, *Subul al-salām*, 2nd ed., Cairo, 1369/1960, III, 210, a Zaydī ʿālim, says of *al-walad li-ʾl-firāsh*: "the *ḥadīth* is an indication of the establishment of the descent (*nasab*) of the child from the father". He cites variant views on the *firāsh*, bed, some say it means the woman, some the husband. It is discussed whether the tradition applies to a free woman or an *amah*, slave-woman – the case which gave rise to the ruling was that involving an *amah*.